

Central Intelligence Agency



Washington, D.C. 20505

OLL 83-2358/A
20 OCT 1983

W
JRC
AH. ER 83-4675

The Honorable Daniel P. Moynihan
United States Senate
733 Third Avenue
New York, N.Y. 10017

Dear Senator Moynihan:

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SIAI
This is in acknowledgement of your note of 22 September 1983 which forwarded correspondence from your constituent, [redacted] regarding his Freedom of Information Act request.

Mr. Larry R. Strawderman, our Coordinator for Information and Privacy, has recently been in contact with [redacted] concerning his request. I have enclosed a copy of his response for your information.

Thank you for your interest in this matter.

Sincerely,

/s/ Clair E. George

Clair E. George
Director, Office of Legislative Liaison

Enclosure

Distribution:

Original - Addressee w/enc

- STAT
1 - ER w/enc
1 - DDA/IPD [redacted] (F83-0811) w/o enc
1 - D/OLL w/enc
1 - DD/OLL w/enc
1 - OLL Record w/enc
1 - OLL Chrono w/o enc

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LD/QLL [redacted] (18 October 1983)

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11 OCT 1983

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This is a followup to our letter of 12 September 1983 regarding your Freedom of Information Act (FOIA) request for information on Josef Mengele and to acknowledge receipt of your letter of 18 September. We also wish to acknowledge receipt of your correspondence to Senator Moynihan, a copy of which was forwarded to the Agency.

We have reviewed our correspondence files of previous requesters who have asked for information on Mengele and found that two documents were previously released; we are enclosing copies in the form in which they were released. Other material consisting of several "open source" newsclips and foreign broadcast transcriptions is available. These have not been included since requesters seeking information generally are not interested in this type of material. If you wish copies, please advise; there will be a charge of ten cents per page for reproducing this material.

If the foregoing is not satisfactory, we can update our search on Mengele; there will be fees in connection with any updated search. The search will be conducted from the date of the last completed search, circa 1976, up to and including the date we acknowledge your letter instructing that such an updated search be done.

Concerning any additional searches for information on Mengele, your 18 September letter provided purported aliases used by Mengele during his fugitive existence. We will be able to conduct searches under the names you provided. If our searches produce documents indexed under these names that are shown to be alias as used by Dr. Mengele we will deal with the document as responsive to your request.

We shall hold in suspense any further processing of your request until we hear from you regarding the above matters.

Sincerely,

/s/ Larry R. Strawderman

Larry R. Strawderman
Information and Privacy Coordinator

Enclosures

EXECUTIVE SECRETARIAT

Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI				
3	EXDIR				
4	D/ICS				
5	DDI				
6	DDA				
7	DDO				
8	DDS&T				
9	Chm/NIC				
10	GC				
11	IG				
12	Compt.				
13	D/EEO				
14	D/Pers				
15	D/OEA				
16	C/PAD/OEA				
17	SA/IA				
18	AO/DCI				
19	C/IPD/OIS		✓		
20	D/OEL	✓			
21					
22					
		SUSPENSE _____ Date _____			

Remarks:

Executive Secretary
 9/26/83
 Date

3637 (10-83)



DANIEL P. MOYNIHAN
NEW YORK

UNITED STATES SENATE

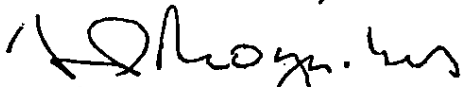
Date: 9/22/83

Respectfully referred to:

Central Intelligence Agency

for such consideration as the enclosed may
warrant. Please send me your written response
in duplicate along with the letter from my
constituent.

Sincerely,



United States Senate

Copies have also been forwarded to the Dept.
of State, Defense Intelligence Agency, & National
Security Agency/Central Security Service

Mark to the attention of: Deborah A. Famighette

% SENATOR MOYNIHAN'S OFFICE
733 THIRD AVENUE
NEW YORK, N.Y. 10017

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Executive Registry

83-4675

September 18, 1983

Senator Daniel Patrick Moynihan
733 Third Avenue
New York, New York 10017

Dear Senator Moynihan:

Our firm is currently engaged in an extensive pro bono project involving possible compensation for numerous holocaust survivors residing in the United States. A principal focus of our work revolves around the human experimentation conducted by Dr. Josef Mengele, the Chief Medical Officer at the Auschwitz death camp. As Mengele is still a fugitive from justice, any information about his wartime or post-wartime activities is crucial to the formulation of our lawsuit.

As a part of our investigation we have utilized the Freedom of Information and Privacy Act to retrieve information regarding Dr. Mengele. Our firm made requests on August 25, 1983 to the following government agencies: (a) Central Intelligence Agency; (b) National Security Agency; (c) U.S. Department of State; (d) Federal Bureau of Investigation; (e) Defense Intelligence Agency; (f) U.S. Army Intelligence and Security Command.

As we are very close to commencing the lawsuits, we need the above listed agencies to process the information requests as quickly as possible. Your position with the Senate Intelligence Committee may provide you with the ability to assist our group of death camp survivors in obtaining both rapid and complete disclosure of information regarding this diabolical fugitive.

Please allow me to update you as to the current status of our Freedom of Information requests vis-a-vis the above agencies.

1. U.S. Army Intelligence - has already responded with a letter dated September 1, 1983, in which they enclosed photocopies of four relevant documents;
2. Central Intelligence Agency - currently processing our request, but have advised us that the wait for relevant documents, if any, can normally range from one to four years. This enormous delay would certainly eliminate the

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effectiveness of any eventually produced documents as far as our holocaust survivors are concerned.

3. FBI - currently processing our requests (file No. 240890) , and have advised us that any relevant documents shall take up to eight weeks to process;

4. Department of State - No response to date;

5. Defense Intelligence Agency - No response to date;

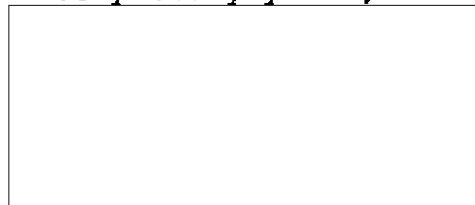
6. National Security Agency - A response received dated September 15, 1983, (Serial N-9378) stated that upon search of all appropriate files maintained by NSA, no documents had been found. Upon further telephone inquiry, we were informed that NSA's search was primarily limited to personnel records of that agency. Furthermore, we were informed that NSA's foreign intelligence mission may have documents relating to Mengele, but that if such documents did exist they would almost certainly be classified and would remain so.

Our best belief is that Mengele is still alive. Although we are making a third party request, it is of course impossible to obtain a written or oral waiver from Mengele as he has been the subject of an intensive international manhunt by both private individuals and the intelligence agencies of foreign governments for many years, all to no avail. All of the above agencies, thus far, with the exception of NSA, have accepted our inability to provide a waiver from Mengele and are processing our requests. However, incredibly, NSA has specifically told us that even if they discovered relevant documents, and then proceeded to declassify those documents, they still would not release the documents to us unless we had a written waiver. In this instance I believe that this certainly defeats the purpose intended by Congress in the formulation of the Freedom of Information and Privacy Act.

Not only are the members of this law firm constituents of yours, but also many of our clients, the survivors of the concentration camp horrors, are also your constituents. All of us involved in this project appeal to you in the hope that you may find some time in your hectic schedule to assist us in cutting through some of the bureaucratic red tape that appears to be associated with public requests for information from some U.S. government agencies.

On behalf of my firm and our holocaust clients I thank you in advance for any assistance you can provide us.

Very truly yours,



GP/apf

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